

AMENDMENT UNDER 37 C.F.R. § 1.116

Appln. No. 10/004,839

Docket No. Q67591

REMARKS

Claims 1-7 are all the claims pending in the application. Claims 1 and 7 are independent claims.

Interview

Applicants thank Examiner Jill Culler and Primary Examiner Dan Collia for the courtesies extended to Applicant's representative John Bird during the personal interview on February 25, 2004. Independent claim 1 and Kamei et al. (US 4,479,159) were discussed.

Applicants note with appreciation that the Examiners indicated that claim 1 would be allowable if Applicant's remarks reflected the discussion during the interview. As such, the following remarks reflect the discussion during the interview.

Claim Rejections Under 35 U.S.C. § 103

Claims 1-7 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Krasuski et al. (US 4,840,696) in view of Kamei.

According to the rejection, it is the Examiner's position that Kamei teaches a process for detecting transported tape amounts in which a remaining length corresponds to a ratio of the angular displacements of the first and second coding means.

However, according to Kamei, the remaining length (residual amount of tape) $L_1 = K_1' / \{1 + (T_1/T_2)^2\} - K_2'$. As such, the remaining length in Kamei is merely based on, or a function of, a squared ratio of the rotational periods of the tape reel T_1 and the supply reel T_2 . Therefore, the remaining length L_1 does not actually correspond to, or have a direct relationship with, a ratio of the angular displacements.

As such, Applicants respectfully request the Examiner to withdraw the rejection of claim 1 and the rejection of dependent claims 2-6 at least because of their dependency from claim 1.

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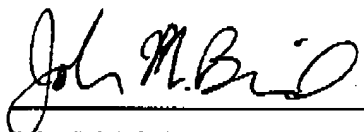
In addition, Applicants have amended independent claim 7 to recite that "said remaining length of the continuous tape of labels corresponds to a ratio of said angular displacements measured by the first and second coding means." Therefore, Applicants also respectfully request the Examiner to withdraw the rejection of independent claim 7 at least for the reasons discussed above with respect to claim 1.

Conclusion

In view of the above, reconsideration and immediate allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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CUSTOMER NUMBER

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